U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

OMB No. 1121-0329

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Tribal Civil and Criminal Legal Assistance (TCCLA) Program. TCCLA provides funding to non-profits and organizations for quality legal assistance targeting members of Indian tribes and tribal justice systems and quality technical assistance to support development and enhancement of tribal justice systems.

Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance FY 2012 Competitive Grant Announcement

Eligibility

CATEGORY 1: TRIBAL CIVIL LEGAL ASSISTANCE GRANTS
Applicants in Category 1 are limited to tribal and non-tribal non-profit (Internal Revenue Code (I.R.C.) § 501(c)(3)) entities, including tribal enterprises and educational institutions (public, private, and tribal colleges and universities) that provide legal assistance services for federally recognized Indian tribes, members of federally recognized Indian tribes, or tribal justice systems pursuant to federal poverty guidelines. Federal poverty guidelines are updated every year by the U.S. Department of Health and Human Services (aspe.hhs.gov/poverty/11fedreg.shtml).

CATEGORY 2: TRIBAL CRIMINAL LEGAL ASSISTANCE GRANTS
Applicants in Category 2 are limited to tribal and non-tribal non-profit (I.R.C. §501(c)(3)) entities, including tribal enterprises and educational institutions (public, private, and tribal colleges and universities) that provide legal assistance services for federally recognized Indian tribes, members of federally recognized Indian tribes, or tribal justice systems pursuant to federal poverty guidelines. Federal poverty guidelines are updated every year by the U.S. Department of Health and Human Services (aspe.hhs.gov/poverty/11fedreg.shtml).

CATEGORY 3: TRIBAL JUSTICE TRAINING AND TECHNICAL ASSISTANCE GRANTS
Applicants in Category 3 are limited to national or regional membership organizations and associations whose membership or a membership section consists of judicial system personnel within tribal justice systems.

Tribal justice systems are defined as a federally recognized Indian tribe's entire judicial branch, including traditional methods and forums for dispute resolution, trial courts, appellate courts, inter-tribal courts, alternative dispute resolution systems, and circuit rider systems, established by inherent tribunal authority whether or not they constitute a court of record. *Judicial personnel* are defined as any judge, magistrate, court counselor, court clerk, court administrator, bailiff, probation officer, officer of the court, dispute resolution facilitator, or other official, employee, or volunteer within the tribal judicial system.

Deadline

Registration with Grants.gov is required prior to application submission. (See "How To Apply," page 12.) All applications are due by 11:59 p.m. eastern time on April 17, 2012. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact the Grants.gov Customer Support Hotline at 800–518–4726 or 606–545–5035 or via e-mail to support@grants.gov.

Note: The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1–877–927–5657, via e-mail to JIC@telesishq.com, or by live web chat. The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to announcement: BJA-2012-3205

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Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance (CFDA #16.815)

Overview

Authorized by Department of Justice Appropriations Act, Fiscal Year 2012, P.L. 112-55 and the Indian Tribal Justice Technical and Legal Assistance Act of 2000, P.L. 106-559, Title I, BJA's Tribal Civil and Criminal Legal Assistance (TCCLA) grants enhance tribal justice systems and improve access to those systems. Targeted to non-profit organizations, including tribal enterprises and educational institutions, the grants serve to strengthen and improve the representation of indigent defendants in criminal cases and indigent respondents in civil causes of action under the jurisdiction of Indian tribes. These services are also targeted to tribes which meet the federal poverty guidelines. Training and technical assistance (TTA) supports the development and enhancement of tribal justice systems.

Deadlines: Registration and Application

Applicants must register with Grants.gov prior to submitting an application. OJP encourages applicants to register several weeks before the application submission deadline. The deadline to apply for funding under this announcement is 11:59 p.m. eastern time on April 17, 2012. See the "How To Apply" section on page 12 for details. Please note that while the deadline for submission is 11:59 p.m. eastern time on April 17, 2012, staff assistance through the BJA Justice Information Center is only available until 8:00 p.m. eastern time (see "Contact Information" on the title page for more information about BJA's Justice Information Center).

Eligibility

Refer to the title page for eligibility under this program.

TCCLA Grants, Training, and Technical Assistance—Specific Information

The TCCLA program helps enhance the operations of tribal justice systems and improves access to those systems. TCCLA provides grants to organizations to provide legal services for indigent defendants and respondents in tribal justice systems. In addition, this solicitation calls for applications to provide TTA for the development, enrichment, and enhancement of judicial system personnel and practices within tribal justice systems.

Goals, Objectives, and Deliverables

The goals of TCCLA are to 1) enhance the operations of tribal justice systems and improve access to those systems, and 2) provide TTA for development and enhancement of tribal justice systems. The purpose is to provide quality technical and legal assistance and to encourage collaboration between grantees, Indian tribes, and the tribal justice community. Grantee objectives include providing procedural justice and enhancing due process in tribal civil and

criminal legal procedures, legal infrastructure enhancements, public education, and TTA for the development and enhancement of tribal justice systems. In Categories 1 and 2, funding may be awarded to organizations to collaborate with tribal courts to provide direct indigent defense representation in tribal civil and criminal proceedings and to collaborate with private, public, or tribal colleges and universities to create clinical programs. Clinical programs will train students to provide legal services to tribes such as code development and legal representation of tribal courts on strategies to enhance the operation of their tribal courts in addressing tribal safety issues, such as alternatives to incarceration and enhanced sentencing authority under the Tribal Law and Order Act. In Category 3, funding will be used to provide regional and national training to tribal court professionals across the United States. This training will include a distance learning module for tribal judicial personnel, online tools, and printed information for public education, code development, and the dissemination of training information to help build capacity in tribal justice systems. Grantees may also assist any sub-grantees in collecting and reporting on TCCLA performance measures and identify and explain trends from the performance measure data submissions, including data collection practices and assessing sub-grantee capacity for reporting during site visits and phone calls and making recommendations for improvement.

Tribal Law and Order Act of 2010

Applicants and tribal criminal justice systems are encouraged to review the Indian Civil Rights Act of 1968 (25 U.S.C. 1302), as amended by Section 234 of the Tribal Law and Order Act of 2010 (TLOA), Public Law 111-211. The TLOA amendments to the Indian Civil Rights Act provide for enhanced tribal court sentencing authority in criminal cases when tribal courts use qualified judges, set forth additional minimum standards for tribal courts with respect to defendant rights (including the right to effective assistance of qualified counsel), and make publicly available tribal criminal codes, rules of evidence, and rules of criminal procedure of the tribal government before charging a defendant; and record the criminal proceedings in which the tribal court invoked TLOA's enhanced sentencing authority. BJA encourages the use of resources to assist tribes in the exercise of these new authorities.

Amount and Length of Awards

BJA anticipates that it will make several awards for the amounts and project periods indicated below. Applicants may submit their applications under any of the following categories. Applicants should clearly indicate in the abstract under which category they are applying.

Category 3 applicants are strongly encouraged to partner with other organizations, including public, private, or tribal educational institutions, to submit joint applications for the required services and deliverables. (Note: one organization partner must agree to serve as the lead organization for the purpose of submitting the application and, if the application is selected for award, for purposes of award administration.)

Note: Applications that do not respond to the identified categories will not be peer reviewed or considered for funding under this solicitation.

Applicants should substantiate the need for all equipment budgeted.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

CATEGORY 1: TRIBAL CIVIL LEGAL ASSISTANCE GRANTS. Competition ID: BJA-2012-3206.

BJA anticipates making one or more awards under Category 1. No single award will exceed $875,000. Applications may request any dollar amount up to $875,000. Applications requesting funding for projects that serve a small number of tribes are encouraged and should request significantly fewer funds. The project period is up to 24 months.

Under Category 1, applications are solicited to provide civil legal assistance services for Indian tribes, members of Indian tribes, and tribal justice systems, pursuant to the federal poverty guideline. These services can include guardian ad-litem appointments, court-appointed special advocates, and development and enhancement of tribal court policies, procedures, and code. Applications should describe the following: how the eligibility for direct service resources is defined; how eligible tribal communities will be made aware of the direct service resources; and how prioritization and selections will be made to determine where to focus resources among the eligible tribal communities.

CATEGORY 2: TRIBAL CRIMINAL LEGAL ASSISTANCE GRANTS. Competition ID: BJA-2012-3207.

BJA anticipates making one or more awards under Category 2. No single award will exceed $875,000. Applications may request any dollar amount up to $875,000. Applications requesting funding for projects that serve a small number of tribes are encouraged and should request significantly fewer funds. The project period is up to 24 months.

Under Category 2, applications are solicited to provide criminal legal assistance services for Indian tribes, members of Indian tribes, and tribal justice systems, pursuant to the federal poverty guidelines. Criminal legal assistance services to tribal members may include adult criminal actions, juvenile delinquency actions, and guardian ad-litem appointments arising out of criminal delinquency acts or development. Legal support to tribal governments and tribal justice systems may include the enhancement of tribal court policies, procedures, and code. Applications should describe the following: how the eligibility for direct service resources is defined; how eligible tribal communities will be made aware of the direct service resources; and how prioritization and selections will be made to determine where to focus resources among the eligible tribal communities. BJA encourages applications seeking to create clinical programs in academic settings to provide these services, especially those related to TLOA implementation of enhanced sentencing authority.

CATEGORY 3: TRIBAL JUSTICE TRAINING AND TECHNICAL ASSISTANCE GRANTS. Competition ID: BJA-2012-3208.

BJA anticipates making one award under Category 3 for up to $500,000. The project period is up to 24 months.

Under Category 3, applications from TTA providers must demonstrate the capacity to:

- Deliver national or regional scope TTA to tribal justice systems.
- Coordinate to ensure no duplication of trainings, and work closely with BJA and all DOJ tribal justice system TTA providers (www.justice.gov/tribal/prior-sessions.html).

The selected TTA provider shall provide the following:

- Plan and conduct two training events based on gaps in service currently provided to tribal justice systems. Training and materials described below should include education

to the public and Indian tribes on legal assistance and Indian Country justice systems and training on exercising enhanced sentencing authority and federal assumption of jurisdiction in Public Law 83-280 states under TLOA, and be developed in conjunction with BJA. Develop and implement, in conjunction with BJA, online tools and printed materials to support these trainings.

- Provide ongoing technical assistance to all tribal justice systems including three onsite assistance visits during the period of the grant. Technical assistance will also support tribal courts seeking to exercise enhanced sentencing authority. Technical assistance formats include, but are not limited to, telephone, distance learning, web-based, written, and/or onsite assistance.
- Develop and disseminate up to three publications to be determined in conjunction with BJA, as well as other program-and training-related materials.
- Conduct distance learning training, as appropriate, to complement classroom training.
- Attend and present at national DOJ events, in coordination with BJA, providing information on legal assistance activity.
- Provide scholarships to support tribes with inadequate resources to attend tribal justice systems trainings, specifically the two trainings that will be provided as deliverables under Category 3.

GrantStat:
The TTA provider will be required to participate in GrantStat with BJA staff for TCCLA grantees. Through GrantStat, BJA management and staff examines the performance of the grant programs funded by BJA by tracking grantee or program performance along several key indicators. GrantStat calls for the collection and analysis of performance data and other relevant grant-level information that enables BJA as well as our TTA partners to be held accountable for the grantee's and program's performance as measured against the program's goals and objectives. TTA providers will be required to participate (via phone or in-person) in regular meetings and report on information and key findings from their interaction with the grantees as the TTA provider.

NTTAC:
BJA TTA projects are required to coordinate all TTA activities with BJA's National Training and Technical Assistance Center (NTTAC). At the time this solicitation was posted. the precise requirements and protocols were still under development, but once completed, the successful applicant will be required to comply with these protocols in order to ensure coordinated delivery of services among TTA providers and effective use of BJA TTA grant funding. BJA reserves the right to modify these protocols at any time with reasonable advance notice provided to the grantee prior to execution.

Budget Information

Limitation on Use of Award Funds for Employee Compensation; Waiver
With respect to any award of more than $250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2012 salary table for SES employees is available at www.opm.gov/oca/12tables/indexSES.asp. Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation

limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for OJP. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

Minimization of Conference Costs
No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from OJP. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP web site at www.ojp.usdoj.gov/funding/funding.htm.

Costs Associated with Language Assistance (if applicable)
If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable costs. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm).

Match Requirement
This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, the match amount incorporated into the OJP-approved budget becomes mandatory and subject to audit.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA) Modernization Act of 2010, Public Law 111–352, applicants that receive funding under this solicitation must provide data that measure the results of their work. Award recipients will be required to report the applicable performance measures quarterly in BJA's online Training and Technical Assistance Reporting System (TTARS), located at: https://www.bjaperformancetools.org/. A complete listing of the performance measures can also be found at https://www.bjaperformancetools.org/tta2/View/BJATTARSReportingMatrix.pdf. Any award recipient will be required, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column.

Performance measures for this program are being finalized. Below, BJA has listed the program objectives and sample performance measures. BJA will determine whether additional or different measures will be required prior to awarding grants.

Objectives	Performance Measure	Data Grantee Provides
Category 1: Tribal Civil Legal Assistance: Provide civil legal assistance services for Indian tribes, members of Indian tribes, and tribal justice systems, including guardians ad-litem and court-appointed special advocates pursuant to the federal poverty guidelines.	Percent increase in respondents served. Percentage of respondents who rated the services of their grant-funded attorney as satisfactory or better.	Number of respondents served during the current reporting period. Number of respondents served during the previous reporting period. Number of respondents who rated the services of their grant-funded attorney as satisfactory or better. Number of respondents who rated the services of their grant-funded attorney.
Category 2: Tribal Criminal Legal Assistance: Provide criminal legal assistance services for Indian tribes, members of Indian tribes, and tribal justice systems, pursuant to the federal poverty guidelines. Criminal legal assistance services may include adult criminal actions, juvenile delinquency actions, guardian ad-litem appointments arising out of criminal or delinquency acts.	Percent increase in defendants served. Percentage of defendants who rated the services of their grant-funded attorney as satisfactory or better.	Number of defendants served during the current reporting period. Number of defendants served during the previous reporting period. Number of defendants who rated the services of their grant-funded attorney as satisfactory or better. Number of defendants who rated the services of their grant-funded attorney.
Category 3, Objective 1: Increase the knowledge of criminal and tribal justice practitioners through: • In-person training. • Web-based learning. • Distance learning using CD/DVDs.	Percentage of in-person or web-based participants who successfully completed the program. Percentage of in-person or web-based participants who rated the training as satisfactory or better. Percentage of in-person or web-	Number of **in-person trainees** who: • Attended each training. • Completed each training. • Completed an evaluation • Rated the training as satisfactory or better. • Completed a pre- and post-test. • Had an improved post-test score over their pre-test.

• Developing or revising training curricula.	based participants trained and subsequently demonstrated performance improvement. Percentage of organizations that rated the training as satisfactory or better. Number of curricula developed. Number of curricula that were pilot tested. Percentage of curricula that were revised after pilot testing.	Number of **web-based trainees** who: • Started the training. • Completed the training. • Completed an evaluation. • Rated the training as satisfactory or better. • Completed a pre- and post-test. • Had an improved post-test score over their pre-test. Number of **organizations** that: • Received CD/ DVDs. • Received CD/DVDs that responded to the survey. • Rated the CD/DVD as satisfactory or that the CD/DVD met their training needs. Number of **training curricula**: • Developed. • Pilot tested. • Revised after being pilot tested.
Category 3, Objective 2: Increase a criminal justice agency's ability to solve problems and/or modify policies or practices.	Percentage of agencies that rated services as satisfactory or better. Percentage of agencies that implemented one or more recommendations. Percentage of people who received peer visits who reported that the visit to the other agency was useful in providing information on policies or practices. Percentage of people who received peer visits who implemented one or more policies or practices six months after they were observed. Percentage of requesting agencies of other onsite services who rated the services provided	For the current reporting period: • Number of onsite visits completed. • Number of agencies that completed an evaluation of services. • Number of agencies that rated the services as satisfactory or better. • Number of reports submitted to requesting agencies after onsite visits. • Number of requesting agencies that implemented one or more of the report recommendations 6 months after onsite visit. • Number of peer-to-peer visits completed. • Number of people who received peer visits who completed an evaluation. • Number of people who received peer visits who reported that the visit was useful in providing information on policies or practices. • Number of people who received peer visits who implemented one or more policies or practices six months after they were observed. • Number of people who received peer visits • Number of requesting agencies who completed an evaluation. • Number of requesting agencies

	as satisfactory or better. Number of web sites developed and maintained. Number of publications developed. Number of publications disseminated. Percentage of resolved calls for assistance.	that rated the services provided as satisfactory or better. • Number of web sites developed. • Number of web sites maintained. • Number of publications developed. • Number of publications disseminated. • Number of information requests • Number of information requests responded to.
Category 3, Objective 3: Increase the dissemination of information to help build capacity in tribal justice systems.	Number of conferences or forums held. Percentage of advisory/focus groups evaluated as satisfactory or better. Number of publications developed. Number of publications disseminated. Percentage of evaluations rating the materials as satisfactory or better Number of training activities conducted. Percentage of participants who rated the training as satisfactory or better.	For the current reporting period: • Number of advisory/focus groups held. • Number of advisory/focus group attendees who completed an evaluation. • Number of advisory/focus group attendees rated the advisory/focus group as satisfactory or better. • Number of documents produced as a result of advisory/focus groups. • Number of documents disseminated to the field as a result of advisory/focus groups. • Number of evaluations provided. • Number of agencies that rated the product as satisfactory or better. • Number of training activities conducted. • Number of trainees who completed an evaluation. • Number of trainees who rated the training satisfactory or better.

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section "What an Application Should Include" on page 14 for additional information.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine

whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge." 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that web page.

Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of $25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling $25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsrs.gov/.

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

How To Apply

Applications will be submitted through Grants.gov. Grants.gov is a "one-stop storefront" that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at www.Grants.gov. If the applicant experiences technical difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **800–518–4726** or **606–545–5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for

federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866–705–5711 or by applying online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password**. Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.jsp.

4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that there can be more than one AOR for the organization.

5. **Search for the funding opportunity on Grants.gov.** Please use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.815 titled *"*Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance,*"* and the funding opportunity number is BJA-2012-3205.

6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.

7. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.

8. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior**

to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Note: Duplicate Applications
If an applicant submits multiple versions of an application, BJA will review the most recent version submitted.

Experiencing Unforeseen Grants.gov Technical Issues

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must e-mail the BJA Justice Information Center as identified in the Contact Information section on page 1 **within 24 hours after the application deadline** and request approval to submit its application. The applicant must include in the e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) the applicant has received. **Note: Requests are not automatically approved by BJA.** After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding Web page at www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Should Include

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are unresponsive to the scope of the solicitation, or that do not include application elements designated by BJA to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative. The Budget Detail Worksheet and Budget Narrative should be combined in one document and must contain **both** narrative and detail information.

OJP strongly recommends use of appropriately descriptive file names (e.g., “Abstract,” “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Resumes”) for all attachments. OJP recommends that resumes be included in a single file.

1. **Information to Complete the Application for Federal Assistance (SF-424)**
   The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant’s profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, please select "For-Profit Organization" or "Small Business" (as applicable).

2. **Program Abstract**
   All applicants should provide an abstract identifying the applicant’s name, title of the project, category under which applicant is applying, and dollar amount requested. The abstract should include problem statement and response (project), goals of the project, a listing of key/major deliverables (e.g., conferences, training, materials for dissemination, curricula, code development), and coordination plans, identifying relevant partners where appropriate. Also include one paragraph for each of the following areas: summarize the strategy to develop regional tribal expertise and to carry out data collection.

   In addition, Category 1 and 2 applicants should include the service area description, constituents eligible for service, number of Indian tribes in service area, and each tribe’s jurisdictional arrangement (e.g. Public Law 83-280). Applicants should identify existing tribal public defender office(s), existing relationship (e.g., tribal resolution) to each tribe where services are provided to members of the tribe, and tribes in the service area where no relationships exist but other arrangements exist with other service provider. Identify any further service gaps and duplication of efforts and services.

   Applicants should use a standard 12-point font (Times New Roman is preferred) with 1-inch margins. The abstract should not exceed 1 page and does not count toward the 15-page limit for the program narrative.

3. **Program Narrative**
   The program narrative must respond to the solicitation and Selection Criteria 1-4 listed below in the order given. The program narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with not less than 1-inch margins, and should not exceed 15 pages. Please number pages “1 of 15,” “2 of 15,” etc.

   If the program narrative fails to comply with these length-related restrictions, noncompliance may be considered in peer review and in final award decisions.

   The following sections should be included as part of the program narrative:
   a. Statement of the Problem
   b. Project Design and Implementation
   c. Capabilities and Competencies
   d. Plan for Collecting the Data Required for this Solicitation’s Performance Measures
      Submission of performance measures data is not required for the application. Performance measures are included as an alert that successful applicants will be required to submit specific data to the BJA as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements

and discuss how the applicant will gather the required data, should the applicant receive funding.

Further information is available under the Selection Criteria section, page 17.

4. Budget Detail Worksheet and Budget Narrative

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/forms/budget_detail.pdf. If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, see the OJP Financial Guide at www.ojp.usdoj.gov/financialguide/index.htm.

b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets are expected to be complete; reasonable and allowable; cost effective; and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all costs were estimated and calculated and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

The application must contain a budget and budget narrative that responds to the solicitation and the Selection Criteria listed below. Applicants should substantiate the need for all equipment budgeted.

For Category 1 and 2, applicants should budget for the costs of travel and accommodations for advocate(s) or attorney(s) to attend one to three trainings during the grant period. For Category 3, applicants should budget for the cost of travel and accommodations for staff to travel to two DOJ-sponsored grant meetings.

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf.

6. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal

organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

7. **Additional Attachments: Project Timeline, Resumes, and Memorandums of Understanding**
   Attach a *project timeline* with each task, expected completion date, and responsible person or organization; *resumes* for key positions; and if applicable, *memorandums of understanding* (MOUs) that outline the partners' responsibilities.

8. **Other Standard Forms**
   Additional forms that may be required in connection with an award are available on OJP's funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

   a. Standard Assurances
      Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.

   b. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
      Applicants must read, certify and submit in GMS prior to the receipt of any award funds.

   c. Accounting System and Financial Capability Questionnaire (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted)

Selection Criteria

The following five selection criteria will be used to peer review each application, with the different weight given to each based on the percentage value listed after each individual criterion. For example, the first criterion, "Statement of the Problem," is worth 20 percent of the entire score in the application review process.

1. **Statement of the Problem (20 percent of 100)**
   Demonstrate a thorough understanding of the complex issues confronting tribal justice systems in tribal communities and Alaska Native villages. For Categories 1 and 2, identify the problem the applicant seeks to address in providing legal assistance to indigent defendants and tribal justice systems. For Category 3, identify the need for tribal capacity development or enhancement of policies and procedures, public education, and effective, targeted training and technical assistance to judicial system personnel in tribal justice systems, outlining the issues to be addressed in the two trainings, using data to support the

need for the training. In particular, discuss the challenges tribal justice systems face in implementing TLOA enhanced sentencing authority and assumption of jurisdiction.

2. Project Design and Implementation (30 percent of 100)
Describe your strategy to address the needs identified in the Statement of the Problem and how you will accomplish the goals of this solicitation. Clearly state how you will enhance tribal legal assistance for Category 1 (civil) or 2 (criminal) and identify the clients, including which tribes and/or members of which tribes will be served under the grant, giving estimates of number of cases. Use data to support your estimates. For Category 3 (training and technical assistance) describe how your strategy will implement the category-specific deliverables listed on pages 6-7 and ensure in writing you are not duplicating existing training(s) provided by other DOJ tribal TTA providers. (www.justice.gov/tribal/prior-sessions.html). For all categories, tie project activities/deliverables to goals and objectives in the program design's strategy, and include a timeline, milestones, and responsible individual or organization as an attachment.

3. Capabilities and Competencies (30 percent of 100)
For all categories, describe the applicant's management structure, staffing, and in-house or contracted capacity to complete each of the proposed tasks/projects. Include resumes or position descriptions of personnel or contractors who will be responsible for activities under the grant (as an attachment), and if applicable, define the roles and responsibilities and qualifications of co-applicants and partners in MOUs (in an attachment).

For Categories 1 and 2, provide specific examples of the applicant's expertise in:

- Hiring personnel and subcontractors must meet both criteria below:

  A) subject matter expertise and educational credentials and
  B) either 1) *demonstrated experience in* tribal government and law enforcement or tribal justice systems and services, federal-tribal-state relations and intergovernmental protocols, tribal culture and community dynamics, community relations and protocols including tribal colleges and universities, and working knowledge of the federal trust responsibility and Indian law; or 2) entry-level positions *shall* include training on working effectively with Indian tribes, study of the current tribe(s) and tribal justice system(s) in the service area.

- Providing cost-effective legal assistance to individuals in tribal justice systems, specifically handling civil or criminal legal assistance cases, depending on the category.
- Providing assistance to Indian tribes on policies and procedure development, such as drafting codes and implementation of TLOA.
- Providing public education on legal assistance in Indian Country.

For Category 3, provide specific examples of the applicant's expertise in:

- Hiring personnel and subcontractors must meet both criteria below:

  A) subject matter expertise and educational credentials and
  B) *demonstrated experience in* tribal government, law enforcement and tribal justice systems and services, federal-tribal-state relations and intergovernmental protocols,

tribal culture and community dynamics, community relations and protocols including tribal colleges and universities, and working knowledge of the federal trust responsibility.

- Providing training and technical assistance that is comprehensive and user-friendly to develop and enhance tribal justice systems.
- Developing culturally competent curricula based on adult learning theory.
- Developing uniform protocols for the assessment and delivery of technical assistance, as well as tracking, evaluation, and follow-up.
- Developing and disseminating publications, teleconferencing, peer-to-peer consultations, onsite assistance, and ongoing offsite assistance by phone and e-mail.
- Working with federal agencies such as DOJ, Indian Health Service, Bureau of Indian Affairs, Substance Abuse and Mental Health Services Administration, other federal agencies, and other tribal justice providers to coordinate services.

4. **Plan for Collecting the Data Required for this Solicitation's Performance Measures and Other Outcome Measures (10 of 100)**
   Describe the process you will use to measure the performance of your project. This should include measures of adhering to project timelines, meeting deliverables schedules, obtaining input from customers, and seeking feedback from stakeholders. Identify the person or group that will be responsible for collecting and reporting the required performance measurement data outlined in the Performance Measures section. Describe any baseline data that will be used, the method you will use to store data, and any safeguards you will put in place to protect personally identifiable information (PII). Describe how you will use your findings to improve your program, and finally, describe how you'll share the measureable results of your program with your customers and stakeholders. Award recipients will be required to report the performance measures in BJA's online Training and Technical Assistance Reporting System (TTARS).

5. **Budget (10 percent of 100)**
   Provide a budget and budget narrative that is complete, reasonable and allowable, cost effective, and necessary for project activities. For Category 1 and 2, applicants should budget for the costs of travel and accommodations for advocate(s) or attorney(s) to attend one to three trainings during the grant period. For Category 3, applicants should budget for the cost of travel and accommodations for staff to travel to two DOJ-sponsored grant meetings.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJA may use either internal peer reviewers, external peer reviewers, or a combination to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Applications that meet basic minimum requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any

resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer, in consultation with BJA, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the AAG of OJP, who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (if applicable)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding

- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act of 2006 (FFATA)
- Awards in Excess of $5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration

Provide Feedback to OJP on This Solicitation

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to OJPSolicitationFeedback@usdoj.gov.

Application Checklist
FY 2012 Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance

This application checklist has been created to assist in developing an application.

Eligibility Requirement:
_____ Eligible applicant (see page 1)
_____ The federal amount requested is within the allowable limit(s).

What an Application Should Include:
_____ Application for Federal Assistance (SF-424) (see page 15)
_____ Program Abstract (see page 15)
_____ Program Narrative***** (see page 15)
_____ Budget Detail Worksheet***** (see page 16*)*
_____ Budget Narrative***** (see page 16)
_____ Indirect Cost Rate Agreement (if applicable) (see page 16*)*
_____ Tribal Authorizing Resolution (if applicable) (see page 16*)*
_____ Additional Attachments (see page 17*)*
- _____ Project Timeline
- _____ Resumes
- _____ Memorandum of Understanding

_____ Other Standard Forms as applicable (see page 17), including:
- _____ Accounting System and Financial Capability Questionnaire (if applicable)

*These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.